

BEFORE THE NEBRASKA LIQUOR CONTROL COMMISSION

In Re: Casey's Retail Company)
Casey's General Store 2968)
130 Highway 34)
Eagle NE 68347)
)
On Suspension, Cancellation or Revocation of)
Retail Class D-092856 Liquor License.)

ORDER

Now on the 9th day of October 2018, this matter came on for consideration before the Nebraska Liquor Control Commission, notice having been served upon the licensee to appear and respond to an administrative citation alleging that the license should be suspended, cancelled or revoked as more fully set out herein.

The licensee was present and represented by Attorneys Robert Bartel and Co-counsel Doug Beech. The Commission was represented by Milissa Johnson-Wiles, Assistant Attorney General.

Upon consideration of all the evidence in this case, the Nebraska Liquor Control Commission finds:
FINDINGS OF FACT:

1. That the licensee did purchase, receive, acquire, accept or possess alcoholic liquors from persons not authorized to sell to the licensee.
2. That the licensee did, on or about February 28th, 2018 and March 1st, 2018, by and through its authorized representative, provide false information to the Liquor Control Commission Investigators regarding the presence of alcohol in Casey's licensed locations.

CONCLUSION OF LAW:

1. That purchasing, receiving, acquiring, accepting or possessing alcoholic liquors from persons not authorized to sell to the licensee, is in violation of Neb. Rev. Stat. Sec. 53-175.
2. That providing false information to the Liquor Control Commission Investigators regarding the presence of alcohol in Casey's licensed locations is in violation of 237 NAC 2-011.01.
3. That the license should be suspended for a period of five (5) days, with the option to pay a fine in lieu thereof on Charge #1.
4. That the licensee has thirty (30) days from the date of this Order to submit a compliance plan for the Commission to review and discuss on the December Commission Agenda for penalty to be determined on Charge #2

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that the Retail Class D Liquor License of Casey's Retail Company, DBA – "Casey's General Store 2968", 130 Highway 34, Eagle, Nebraska, should be, and the same hereby is, suspended for a period of five (5) days, such suspension to commence at the closing hour of business on the 25th day of November 2018, and to continue until the opening hour of business on the 1st day of December 2018, with the option to pay a fine in lieu thereof. Additionally, that the licensee has thirty (30) days from the date of this Order to submit a compliance plan for the Commission to review and discuss on the December Commission Agenda for penalty to be determined on Charge #2

IT IS FURTHER ORDERED that the notice of suspension shall be posted upon the premises, said notice to remain posted throughout the term of said suspension.

IT IS FURTHER ORDERED that the Licensee shall pay costs of this action, assessed in the amount of \$25.00.

Dated this 22nd day of October 2018.



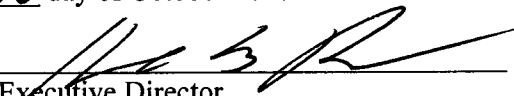
NEBRASKA LIQUOR CONTROL COMMISSION

BY

[Handwritten Signature]

CHAIRMAN

I hereby certify this to be a true and correct copy of the original order entered herein, and further certify, that a copy was mailed by regular U.S. Mail to Casey's Retail Company, Casey's General Store 2968, 130 Highway 34, Eagle, NE 68347, and to Casey's Retail Company, PO Box 3001, Ankeny IA 50021, and to Attorney Robert Bartle, PO Box 83104, Lincoln NE 68508, on this 20 day of October 2018.


Executive Director